

Panaji, 23rd October, 2008 (Kartika 1, 1930)

SERIES II No. 30



OFFICIAL GAZETTE

GOVERNMENT OF GOA

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 29 dated 16-10-2008, namely, Extraordinary dated 16-10-2008 from pages 805 to 806 regarding Notifications from Department of Finance (Revenue & Control Division).

GOVERNMENT OF GOA

Department of Co-operation

Office of the Registrar of Co-operative Societies

Order

No. 23-1-05-TS-Credit-12/RCS/1854

Read: 1. Show Cause Notice dated 15-9-2008 issued by Registrar of Co-op. Societies, in terms of Section 1(a) of Section 71 of Co-op. Societies Act, 2001.

The ACGL Sheet Metal Employees Co-op. Credit Societies Ltd., Honda, Satari-Goa (hereinafter referred to as said society), is a Salary Earners Co-operative Society registered on 3-5-2004 under the provisions of erstwhile Maharashtra Co-op. Societies Act, 1960 as was in force in the State of Goa, and now deem to be registered under the Goa Co-op. Societies Act, 2001 (hereinafter referred to the said Act) to fulfill the objects as laid down under its bye-laws.

On the basis of the report submitted by the Asstt. Registrar of Co-op. Societies, North Zone, Mapusa viz-a-viz representation made by 117 share holders/ members in accordance with the provisions of Section 71 of the said Act, a notice referred to above was issued to all the Managing Committee Members of the said society to show cause as to why the management should not be removed and an Administrator/Committee of Administrators be appointed to manage the affairs of the said society.

The brief contents of the show cause notice are that the management of the said society had come to minority on account of resignation of 6 members, thereby creating a marginal vacuum. This situation disturbed the day to day functioning of the said society to such an extent that it has adversely affected the smooth functioning and rendering of daily services to its members and was detrimental to the well being of the said society as well as the general members. Moreover, it was found that the

existence of the management in minority was invalid and not in accordance with the provisions of Act, Rules & Bye-laws.

The management was given an opportunity of being heard personally and of submission of written reply. Accordingly, the hearing in the matter was held on 7-10-2008 in my chamber. Mr. Subhash Parab, Vice-Chairman of the Managing Committee remained present. He states that, all the Managing Committee Members have received the notice and that, they have no objection for appointing an Administrator or Committee of Administrators to manage the affairs of the said society and to hold fresh election to elect a new Managing Committee as per the wishes of shareholders.

After analysing the position on the basis of the report of Asstt. Registrar of Co-op. Societies, North Zone, Mapusa and other relevant available records viz-a-viz the respective provision contained in the said Act, Rules & Bye-laws, I, come to the conclusion that the request of the members/share holders to appoint an Administrator/Committee of Administrators is justified.

Therefore, I pass the following order in terms of Section 71 of the said Act appointing a Committee of Administrators to manage the affairs of the said society.

ORDER

In exercise of the powers vested in me under Section 71 of the Goa Co-op. Societies Act, 2001, I, P. K. Patidar, Registrar of Co-op. Societies, Government of Goa, hereby removed the existing Managing Committee of the ACGL Sheet Metal Employees Co-op. Credit Society Ltd., Honda, Satari-Goa and appoint a Committee of Administrators consisting of following persons to manage the affairs of the said society for a period of six months from the date of taking over the charge.

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|-------------------------|--|
| 1) Shri Ligor Fernandes | . Chairman, Committee of Administrators. |
| 2) Shri Shamba Gaonkar | . Member. |
| 3) Shri Daya Gaonkar | . Member. |

The Committee of Administrators shall arrange for constitution of new Managing Committee in accordance with the provisions of bye-laws of the society before expiry of their term.

P. K. Patidar, Registrar of Co-op. Societies.

Panaji, 8th October, 2008.

Department of Education, Art & Culture

Directorate of Education

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Order

No. 1(2)-5-2001/EDN/PART/241

Government of Goa is pleased to transfer the below mentioned officers of the cadre of Vice-Principal, Government Higher Secondary School/Headmasters, Government High School and post them to the place shown against their names in column No. 3 with immediate effect.

Sr. No.	Name of the officer/ /designation & place where presently working	Place of proposed transfer
1	2	3
1	Shri Shailesh R. Zingade, Headmaster, Government High School, Sadar-Ponda	Headmaster, Govern- ment High School, Alto-Betim.
2	Smt. Gouravva M. Hebballi, Headmistress, Government High School, Alto-Betim	Headmistress, Govern- ment High School, Sadar-Ponda.
3	Smt. Pushpa S. Pawaskar alias Reshmi S. Bandodkar, Headmistress, Government High School, Amona- Bicholim	Headmistress, Govern- ment High School, Vasco (Main).
4	Shri Govind Vaman Naik, Headmaster, Government High School, Torsen, Pernem	Headmaster, Govern- ment High School, Amona-Bicholim.
5	Shri Mahabaleshwar G. Samant, Vice-Principal, Government Higher Secondary School, Pernem	Headmaster, Govern- ment High School, Torsen, Pernem.

The officers at serial Nos. 1, 2, 3 and 4 are not entitled for TA/DA and joining time as their transfers are effected as their own request and they should join their new place of posting immediately in receipt of this order.

The date of joining and relieving should be communicated to this office.

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, ex officio Joint Secretary (School Education).

Panaji, 10th October, 2008.

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Order

No. 1-(2)-10-2003-SE(P)/242

Government is pleased to transfer Dr. Thomas Mathew, Joint Secretary (Voc./Acad.), Goa Board of Secondary and Higher Secondary Education, Alto-Betim and post him as Principal, Government Higher Secondary School, Baina-Vasco, with immediate effect.

The above transfer is made on his own request and as such no T.A./D.A. and joining time shall be admissible to the incumbent.

Shri Ashok L. Rane, Joint Secretary (Adm.) Goa Board of Secondary and Higher Secondary Education, Alto-Betim shall hold additional charge of Joint Secretary (Voc./Acad.) Goa Board of Secondary and Higher Secondary Education, until further orders.

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, ex officio Joint Secretary (School Education).

Panaji, 10th October, 2008.

Corrigendum

No. 1(2)-9-2003/SE/233

Read: 1) Order No. 1(2)-9-2003/SE/94 dated 30-06-2008.

2) Addendum No. 1(2)-9-2003/SE/182 dated 28-08-2008.

In the above referred Addendum No. 1(2)-9-2003/SE/182 dated 28-08-2008 cited above, the second para shall be substituted to read as:

"The above officials shall exercise their option for fixation of their pay in the promotional grade, in terms of provisions of F.R. 22 (I) (a) (i) within a period of one month from the date of issue of the Corrigendum as Vice-Principal, Teacher's Training College/Headmaster of Government High School/Vice-Principal, Government Higher Secondary School. The option once exercised shall be final"

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, ex officio Joint Secretary (School Education).

Panaji, 6th October, 2008.

Corrigendum

No. 1(2)-9-2003/SE/237

Ref.: 1. Order No. 1(2)-2-2006/SE/812 dated 12-3-2007.

2 Order No. 1(2)-9-2003/SE/94 dated 30-6-2008.

3 Order No. 1(2)-9-2003/SE/114 dated 14-7-2008.

In pursuance of the Government orders cited above, the name of Smt. Debora R. Fernandes reflected in the above referred orders shall be substituted to read as Smt. Debhora R. Fernandes.

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, ex officio Joint Secretary (School Education).

Panaji, 7th October, 2008.

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Directorate of Technical Education—
Order

No. DTE/CAD/RTI/2006/1964

In partial modification of Order No. DTE/ESTT/3-9/ /Misc/RTIA/2006/1201 dated 14-08-06 name and

designation of First Appellate Authority for Directorate of Technical Education stands modified as follows:-

Sr. No.	Name of the Office	First Appellate Authority
1	Directorate of Technical Education	Shri Vivek B. Kamat, Director of Technical Education.

Vivek B. Kamat, Director of Technical Education.

Porvorim, 14th October, 2008.

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Department of Finance
Revenue & Control Division
Directorate of Accounts

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Order

No. DA/Admn/45-6/08-09/TR-2006/80

The Government is pleased to order the transfer and posting of the following Assistant Accounts Officers under Common Accounts Cadre as shown below with immediate effect on administrative grounds.

Sr. No.	Name of the Officer	Present place of posting	Transferred and posted at
1	2	3	4
1	Shri Raghoba V. Gawandi	Directorate of Accounts, Panaji	Superintending Engineer, Circle II (North), Electricity Department, Panaji.
2	Smt. Rupa Gaitonde	Superintending Engineer, Circle II (North), Electricity Department, Panaji	Directorate of Accounts, Panaji.

The Officer at Sr. No. 1 shall move first.

On joining their new assignments, the officers shall send CTC/Joining Report to this Directorate immediately for records.

By order and in the name of the Governor of Goa.

Rajan V. S. Kunkolienkar, Director of Accounts & ex officio Joint Secretary.

Panaji, 13th October, 2008.

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Budget Division

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Notification

No. 2/8/2000-FCC

- Read: 1) Notification No. 2/8/2000-FCC dated 1-2-2006.
2) Notification No. 2/8/2000-FCC dated 28-6-2007.

3) Notification No. 2/8/2000-FCC dated 5-7-2007.

4) Notification No. 2/8/2008-FCC dated 9-6-2008.

In partial modification to the notification of 1 above and in pursuance of Article 18(a) of the Article of Association of the Goa State Infrastructure Development Corporation Ltd., Government of Goa is pleased to appoint Adv. Shri Mahesh Sonak on the Board of Directors of Goa State Infrastructure Development Corporation with immediate effect.

By order and in the name of the Governor of Goa.

Meena Priolkar, Under Secretary, Fin. (Bud-II).

Porvorim, 10th October, 2008.

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Department of General Administration

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Notification

No. 2/2/2006-GAD-H

Read: Government Notification No. 2/2/2006-GAD-H dated 23-10-2007.

Government is pleased to declare Monday, 27th October, 2008 (5 Kartika, 1930) as "Public Holiday" in the State of Goa on account of "Diwali Festival" instead of 28th October, 2008 (Tuesday) as declared earlier and Restricted Holiday on 28th October, 2008 on account of "Laxmi Pujan".

The holiday is declared under the Negotiable Instrument Act, 1881 (Act 26 of 1881).

Consequently, 28th October, 2008 shall be a working day.

By order and in the name of the Governor of Goa.

Prabhakar V. Vaingankar, Under Secretary (GA).

Porvorim, 20th October, 2008.

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Corrigendum

No. 13/20/2000/GAD

Read: Order No. 13/20/200/GAD dated 28-07-2008.

The last para of the above read Order shall be corrected to read as follows:-

"Now, therefore, Governor of Goa is pleased to treat the period from 01-02-1993 to 06-06-1999 as period spent on duty for all purposes and to release annual increments of Shri Toraskar from 01-02-1993 to 06-06-1999 notionally without any arrears during the said period".

By order and in the name of the Governor of Goa.

A. K. Wasnik, Secretary (GA).

Porvorim, 15th October, 2008.

Goa Legislature Secretariat

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Order

No. LA/Admn/2008/2218

The Governor of Goa, in consultation with the "Special Board" comprising the Chief Minister, the Speaker and the Deputy Speaker under the Goa Legislature Secretariat (Recruitment and Conditions of Service) Rules, 1988, is pleased to appoint Shri R. Kothandaraman, who has voluntarily retired from the service of the Lok Sabha Secretariat as Director w.e.f. the forenoon of the 7th September, 2008, as Secretary of the Goa Legislative Assembly and its Secretariat, on contract basis, with effect from the forenoon of the 9th September, 2008, initially for a period of two years.

2. He will draw the last pay drawn in Lok Sabha Secretariat minus pension.

3. This supersedes Notification No. LA/Admn/2008/3822 dated 18th March, 2008 appointing Shri R. Kothandaraman, Director, Lok Sabha Secretariat, on deputation basis, as Secretary of the Goa Legislative Assembly w.e.f. 1st March, 2008 (f.n.) for a period of one year.

By order and in the name of the Governor of Goa.

Ligia Godinho, Under Secretary.

Porvorim, 7th October, 2008.

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Department of Industries—
Order

No. 3/18/91-IND (Part)

Read: 1. Order No. 3/18/91-IND (Part) dated 09-03-2007.

2 Order No. 3/18/91-IND (Part) dated 03-09-2007.

2 Order No. 3/18/91-IND (Part) dated 02-04-2008.

Government is pleased to extend the term of ad hoc promotion of the Officers indicated below, to the posts of Functional Manager (Group 'B' Gazetted), for a further period of (6) months w.e.f. 9-9-2008 to 10-3-2009 or till such time the said posts are filled on regular basis, whichever is earlier.

1. Shri Prakash Narayan Korgaonkar.

2. Shri Rui M. R. de Araujo.

This issues with the concurrence of Goa Public Service Commission, Panaji vide their letter No. COM/II/11/65(2)/2008/1582 dated 07-10-2008.

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Industries).

Porvorim, 14th October, 2008.

Department of Information Technology

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Addendum1(103)/2008/DOIT/Appointment of Manager
(Technical)/1208

Read: Order No. 1(103)/2008/DOIT/Appointment of Manager (Technical)/984 dated 28-08-2008.

The above referred order may read as follows:-

On the recommendations of Goa Public Service Commission as conveyed vide their letter No. COM/I/5/26(2)/07/191 dated 3rd July, 2008, Government is pleased to appoint Shri Vasta Nijanand Vishnu on temporary basis to the post of Manager (Technical) (Group 'A') under the OBC Category in the Department of Information Technology, Porvorim in the pay scale of Rs. 8,000-275-13,500 as per the terms and conditions contained in the Memorandum cited above and with effect from the date of his joining to the post.

Shri Vasta Nijanand Vishnu shall be on probation for a period of two years from the date he assumes charge of the post of Manager (Technical), Department of Information Technology.

The District Magistrate, South Goa District, Margao, Goa has verified the character and antecedents of Shri Vasta Nijanand Vishnu and communicated that nothing adverse has been found against him vide letter No. 36/2/2008/MAG/Part I/84/1799 dated 26-09-2008. Further he has also been declared medically fit by the Medical Board of Goa Medical College, under Medical Certificate dated 07-08-2008 forwarded vide letter No. 4/106/84-H/GMC/5928 dated 11-08-2008.

By order and in the name of the Governor of Goa.

S. R. Shet, Director (IT) & ex officio Jt. Secretary.

Porvorim, 10th October, 2008.

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Department of Labour—
Order

No. 22/2/2008-Lab/1456

Government is pleased to promote Shri Rajay S. Naik, Assistant Employment Officer to the post of the Senior Assistant Employment Officer on ad hoc basis in the office of the Commissioner of Labour and Employment, Panaji-Goa in the pay scale of Rs. 5,500-175-9000 (Group 'B' Gazetted), with immediate effect for a period of six months.

The expenditure on payment of salaries shall be debited to the Budget Head: 2230-Labour and Employment, 02-Employment, 101-Employment Services, 05-Setting up of the Job Development & Vocational Guidance Unit (N.P.), 01-Salaries.

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 8th October, 2008.

Notification

No. 28/1/2008-LAB/987

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 21-07-2008 in reference No. IT/7/93 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 11th August, 2008.

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I AT PANAJI

(Before Smt. Prabhudessai, Presiding Officer)

Ref. No. IT/7/93

Workmen rep. by
The General Secretary,
United Mine Workers Union,
Kamakshi Krupa,
Gr. Floor, Khadpaband,
Ponda, Goa.

... Workmen/Party I

V/s

M/s. Haider Kassim Khan,
Mine Owners,
Curchorem, Goa.

... Employer/Party II

Party I/Workmen are represented by P. Gaonkar.

Party II/Employer represented by G. B. Kamat.

Award

(Passed on this 21st day of July, 2008)

In exercise of powers conferred by Clause (d) of sub-section (1) of Section 2(A) of Section 10 of the said Act, 1947, under order dated 30-12-92, the Central Government has referred to this Industrial Tribunal the following dispute for adjudication:

"(1) Whether the action of the management of Messrs Haider Kassim Khan, Mine Owner at Vangi Bhendi Advan, Sulkarne, Quepem, Goa is justified in closing his mine on 17-1-92 situated at Sulkarne, Goa and terminating the services of employees w.e.f. 21-1-1992 on receipt of Charter of Demands by union ?

(2) If not, what benefits the workmen are entitled under the Charter of Demands ?"

2. On receipt of the reference, IT/7/93 was registered. Notices were issued to the parties. The Party I has filed their claim statement at Exb. 3. The Party I, who shall be hereinafter referred to as the workmen have stated that they had joined the union in October, 1991 and had submitted a charter of demand vide letter dated 19-10-1991. They had also requested

the Asstt. Labour Commissioner for his intervention pursuant to which the Asstt. Labour Commissioner had initiated conciliation proceedings. The workmen have stated that the management had illegally closed down the mine during the pendency of conciliation proceedings without complying with the provisions of Section 25 FFF and 25 F of the Industrial Disputes Act. The workmen have stated that the Party II has not paid their legal dues. The workmen have also stated that the Party II had also not obtained permission of the Conciliation Officer and has closed down the business in violation of Section 33 of Industrial Disputes Act. The workmen have stated that the Party II has illegally closed down its establishment in order to victimize the workmen for joining the union. The workmen have further stated that the Party II has once again commenced the business despite which they are not allowed to resume duties. The workmen have therefore claimed that the closure is illegal and have claimed reinstatement with full back wages and continuity in service.

3. The Party II has filed its written statement at Exb. 5. The Party I has denied that the business establishment was closed to victimize the workmen for joining the union. The Party II has stated that they used to sell the entire quantity of ore produced in the mine to M/s. Jukom Natural Synthesisers and M/s. Chandra Orgo-Chem Combines both from Bombay. The Party II has stated that by letter dated 27-12-1991, M/s. Jukom Natural Synthesisers cancelled their order and by letter dated 7-1-1992, M/s. Chandra Orgo-Combines refused to finance the employer firm for continuing with developmental work that was going on in the mine. The Party II has stated that as on 31-12-1991 it had stock of 2071 tonnes of manganese ore of various grade extracted. The Party II has stated that in the above circumstances, further continuation of mining operation would have added as a heavy burden to the existing meager resources and for this reason it decided to discontinue mining operations w.e.f. 17-1-1992. The Party II has stated that upon closure of the mine, services of the all the mine workers were terminated w.e.f. 20-1-1992 on payment of one months wages and compensation in addition to other dues. The services of the truck drivers were terminated from 20-1-1992, as the operation of the truck was entrusted to a third party and the truck driver was tendered in cash the notice pay and compensation which he refused to accept. The Party II has stated that subsequently, M/s. Jukom Natural Synthesisers and M/s. Chandra Orgo-Combines showed willingness to buy manganese ore and therefore the mine was restarted w.e.f. 1-11-1992. Prior to re-opening, statutory notice under Rule 78 of the Industrial Disputes Act was displayed on the notice board and intimation dated 19-10-1992 was sent to all the mine workers by registered posts and they were asked to report for duty latest by 1-11-1992. The Party II has stated that inspite of the receipt of the intimation, none of the workers reported for work and as such the vacancies were filled by recruitment of

new workers. The Party II has stated that the closure w.e.f. 17-1-1992 and subsequent termination of services w.e.f. 20-1-1992 was legal and justified and as such workmen are not entitled for any relief.

4. Based on the aforesaid pleadings following issues were framed:

- 1 Does Party I prove that Party II illegally closed down its business with a view to victimize the workers as alleged ?
- 2 Does Party II prove that it re-opened its business with effect from 1-11-1992 and then sent notices to all the workmen to resume to their duties but none of them resumed as contended in para 9 of written statement ?
- 3 Whether Party I workmen are entitled to any relief ?
- 4 What Award or order ?

ADDITIONAL ISSUES

- 1 (A) Whether the Party I proves that the Party II did not obtain the permission of the Conciliation Officer before terminating the services of the workmen and thus violated the provisions of Sec. 33 of the I. D. Act, 1947 ?
- 1 (B) Whether the Party I proves that the Party II did not pay the legal dues of the workmen at the time of termination of their services ?
- 1 (C) Whether the Party I proves that before terminating the services of the workmen the Party II did not comply with the provisions of Sec. 25(F) and 25 (FFF) of the I. D. Act, 1947 and the rules made thereunder ?

5. Shri P. Gaonkar has filed written arguments on behalf of the Party I. Learned Adv., Shri G. B. Kamat has filed written arguments on behalf of the Party II. I have perused the records and considered the arguments advanced by the respective parties and my findings on the aforesaid issues is as under:

6. *Issue No. 1:* Shri P. Gaonkar has argued that the Party II terminated services of the workmen and resorted to artificial closure in order to victimize the workmen for serving the charter of demands. He has argued that there was no real closure and that the work of mining was in progress even in the month of February, 1992. He has argued that the Party II had not surrendered the mining licence and was infact making huge profits. He has argued that since the closure was not real, the workmen are entitled for reinstatement with full back wages. He had relied upon the case of *Industrial Perfumes Ltd., v/s Industrial Perfumes Workers Union* reported in 1998 LLR 691 and in the case of *Jaya Bharat Tile Works v/s State of Madras and others* 1977 II Lab I. C. 587.

7. Learned advocate, Shri Kamat has argued that it is clear from the order of reference that there is no

dispute as to whether the closure was real or not. There is also no dispute regarding the legality of the closure. Only dispute which is referred is regarding the justification or motive behind the closure. He has argued that the Tribunal cannot travel beyond the scope of the reference. He has relied upon the judgment in the case of *Pottery Mazdoor Panchayat v/s The Perfect Pottery Co. Ltd., AIR 1979 SC 1356* and the case of *Workmen v/s Eighth Industrial Tribunal reported in 2006 (2) LLN 580*. He has further argued that in a case of closure motive is immaterial and that is relevant is whether closure is real or not. He has placed reliance on the case of *India Hume Pipe Co. v/s Workmen reported in 1968 Lab I.C. 1229*.

8. The workmen have examined three witnesses in support of its case. The first witness, Shri Eknath Sawardekar has deposed that he was employed by Party II as a truck driver, in the year 1986. He has deposed that in October, 1991 all workers of the Party II had joined United Mine Workers Union, which was affiliated to Bhartiya Mazdoor Sangh. On joining the union, a charter of demand was submitted to the Party II in respect of payment of wages and contribution for provident fund. Subsequently, conciliation proceedings were held before the Labour Commissioner, Panaji. This witness has deposed that the Party II had closed the mine on 17-1-1992, and terminated the services of all the workmen when the conciliation proceedings were in progress.

9. The witness No. 2, Shri Ulhas Govekar has deposed that he was working for the Party II as a supervisor since 1970. He had deposed that he became the member of the union in 1991. In December, 1991 the union submitted a charter of demand to the Party II, pursuant to which the Party II closed the mine w.e.f. 17-1-1992 and terminated the services of the workmen.

10. The third witness, Shri Putu G. Gaonkar was the General Secretary of the United Mine Workers Union. He has deposed that in October, 1991 the workmen of the Party II had joined the union. This was intimated to the Party II vide letter dated 19-10-1991. The union had also submitted a charter of demand to the Party II. Since the Party II did not concede to the demands, the dispute was raised before the Asstt. Labour Commissioner for which reason the Party II closed the mines.

11. Shri Shabbir Khan, one of the partners of the Party II has deposed that in the year 1999 the Party II had entered into an agreement with M/s. Jukom Natural Synthesisers and M/s. Chandra Orgo-Chem Combines whereunder it was agreed that ore would be sold to these two customers who in turn would advance money towards expenses for development and extraction of ore. This witness has deposed that at the end of the year 1991 there was a stock of about 2071 metric tonnes of manganese ore. He has deposed that vide letter dated 27-12-1991 (Exb. 10) M/s. Jukom Natural Synthesisers had informed the Party II not to

dispatch any further ore until further fresh order was released and had further informed the Party II to treat the pending orders as cancelled. This witness had further deposed that by letter dated 7-1-1992 (Exb. 11), M/s. Chandra Orgo-Chem Combine informed the Party II that it would not finance the extraction of ore. He has deposed that the Party II had closed the mines because of accumulation of existing stock of ore, cancellation of orders by M/s. Jukom Natural Synthesisers and refusal to finance by M/s. Chandra Orgo-Chem Combines.

12. The aforesaid evidence clearly indicates that the factum of closure was not disputed. It may be mentioned that in the case of *Industrial Perfumes (Surpa)* the company had closed down the manufacturing unit but had continued its business by shifting production elsewhere. It was in this context that the High Court has held that even if the court should not go into the sufficiency or adequacy of the material, the court can still consider whether in fact the closure is real or genuine and whether in fact there is a closure at law. Whereas in the present case, the workmen have not claimed that the closure is not real and that it was only a pretence on the contrary as stated earlier they have admitted the factum of closure. The only contention of the workmen is that the Party II had resorted to closure to victimize the workmen for joining the union and submitting the charter of demands. In other words, they have only questioned the motive and bonafides of the Party II in closing the mines. It may be mentioned that in the case of *Indian Humes (Supra)* the apex court has held that once the Tribunal finds that the employer has closed the factory as a matter of fact it is not required to go into the question as to the motive which guided him on the facts of the said case. The apex court had held that it was not open to the Tribunal to go into the motive of the appellant in closing down its factory and to enquire whether it was bonafide or malafide with some oblique purpose namely to punish the workmen for the union activities in fighting the appellant. The apex court has reiterated that it is not for the Industrial Tribunal to enquire into the motive to find out whether the closure was justified or not.

13. In the light of the principles laid down by the apex court, in the aforesaid decision this Tribunal cannot go into the motive of the Party II in closing down the mines and to enquire and decide whether the action of Party II in resorting to closure was malafide with oblique purpose of victimizing the workmen for joining the union and submitting the charter of demand.

14. It is also pertinent to note that the reference made to this Tribunal reads as under "Whether the action of the manage of Msrs Haider Kassim Khan, Mine Worker at Vangi Bhendi Advan Sulcorna, Quepem, Goa is justified in closing his mine on 17-1-97 situated at Sulcorna and terminating charter of demands by union? If not, what benefits the workmen are entitled under the charter of demand ?

15. The terms of the reference show that the factum of closure was not an issue between the parties and the Tribunal is not called upon to adjudicate upon the question as to whether there was in fact closure of business or whether the closure was genuine or only a pretence to victimize the workmen. By this reference the Tribunal is only called upon to adjudicate whether closure was justified. The question whether the Tribunal has jurisdiction to question the propriety or justification of the closure has been answered by the apex court in the case of *Pottery Mazdoor Panchayat v/s Perfect Pottery Co. AIR 1979 SC 1356*. The apex court has held that the jurisdiction of the Tribunal in Industrial disputes is limited to the points specifically referred for its adjudication and to matters incidental thereto and that the Tribunal cannot go beyond the terms of reference. The apex court has held that where the very terms of reference showed that the point in dispute between the parties was not the fact of closure of its business by the employers and the reference is only limited to the narrow question as to whether the closure was proper and justified. The Tribunal by the very terms of reference, had no jurisdiction to go behind the facts of closure and inquire into the question whether the business was in fact closed down by the management. It was further held that the propriety of or justification for the closure of a business, in fact and truly effected, cannot raise an industrial dispute as contemplated under the Act.

16. In the instant case as stated earlier this Tribunal has not been called upon to adjudicate upon the factum of closure but is called upon to adjudicate whether the closure was justified. In view of the legal position reiterated by the apex court in the aforesaid case, this Tribunal has no jurisdiction to go behind the reference and inquire into the motive behind the closure or to decide upon the question whether the closure of business was justified. Hence issue No. 1 is answered in the negative.

17. *Issue No. 1A:* Shri P. Gaonkar has argued that the employer, Shri Shabbar Khan had admitted in his evidence that the Party I had served the charter of demands and that the conciliation proceedings were pending before the Asstt. Labour Commissioner. In view of the pendency of conciliation proceedings the employer was required to seek permission of the Asstt. Labour Commissioner before terminating services of the workmen. He has relied upon the case of *Jaipur Zila Sahakari Bhoomi Vikas Bank Ltd., 2002 LLR 232*. Learned advocate, Shri Kamat has argued that the question of seeking permission of the conciliation officer does not arise in case of termination of services due to closure. He has placed reliance on the case of *Anglo French Drugs and Industries Ltd., v/s Rocha/ Anglo-French Employee Union 2005 (4) LLN 468*.

18. It is not in dispute that the workmen had served a charter of demand on the Party II and that the conciliation proceedings were pending before the Asstt. Labour Commissioner. It is also not in dispute that the

Party II had not sought permission from the Labour Commissioner before closing the mines and terminating the services of the workmen. In the case of *Jaipur Zila Sahakari (Supra)*, the Constitution Bench of the apex court has held that compliance of provisions of Sec. 33 (1) and Sec. 33 (2) of the Act are mandatory. The question however is whether these provisions are attracted in case of termination of service as a consequence of closure. This issue has been dealt by the Bombay High Court in the case of *Anglo-French Drugs (supra)* wherein it has been held that when the factum of closure is admitted or established then there is no occasion for the Industrial or Labour Court to hold that dispensation of service of workmen under and in pursuance of closure amount to alteration of their conditions of service within the meaning of Sec. 33 of the Industrial Disputes Act. As stated earlier in the instant case, the factum of closure is admitted. Since the services of the workmen had come to an end pursuant to the closure of the establishment and the business, there was no question of change or alteration in the service condition of the workmen within the meaning of Sec. 33 of the Industrial Disputes Act. Consequently there is no violation of provisions of Sec. 33 of Industrial Disputes Act. Hence Issue No. 1A is answered in the negative.

19. *Issue No. 1 B and 1 C:* It is the case of the workmen that the Party II had not paid retrenchment compensation and as such retrenchment is illegal and is in violation of Sec. 25 (E) of the Act. In support of this contention, Shri P. Gaonkar has relied upon the case of *State of Rajasthan v/s Miss Usha Lokwani and Anr reported in 1994 LLR 369* and *State of Bombay v/s Hospital Mazdoor Sabha*. Shri P. Gaonkar has further contended that the Party II has not produced the documents which are in its possession. He has argued that since the workmen are illiterate, the liability of proving the case was on the Party II. He has relied upon the decision in the case of *K. Chandramma v/s Labour Court I, Hyderabad*. Learned advocate, Shri Kamat has argued that the Party II has paid the retrenchment compensation. He has further argued that payment of notice pay and retrenchment compensation are not conditions precedent for closure.

20. At the outset it may be mentioned that the legality of closure for non compliance of provisions of Sec. 25F, Sec. 25FFF or Sec. 33 is not the issue under reference and to go into the question of legality would amount to travelling beyond the scope of the reference. Reliance is place on the judgment in the case of *Workmen v/s Eighth Industrial Tribunal 2006 (2) LLN 580*.

21. Be that as it may, Shri Shabbar Khan, one of the partners of Party II has deposed that notice of discontinuance of the operation of mines dated 17-1-1992 was displayed at the site on 18-1-1992. Notices of closure dated 17-1-1992 were also served on the workmen and their legal dues were paid on 18-1-1992. Three employees had not reported for work

on 18-1-1992 and as such notices could not be served on them and their legal dues also could not be paid. He has deposed that the notices were sent to these workmen by registered post and their dues were paid by money order. This witness has produced the copy of the notice dated 17-1-1992 at Exb. E-12, copies of notices served on the workmen and the receipt issued by the workmen for having received their legal dues at Exb. E-13 colly & money order receipts and copies of notices sent to the workmen at Exb. E-14 colly. This witness has deposed that notice dated 17-1-1992 was also served on Ulhas Gaonker (witness No. 2 of Party I) and the legal dues were also tendered to him but he refused to accept the same. He has further deposed that Shri Eknath Savordekar (witness No. 1 of Party I) had also refused to accept the notice and the dues which were tendered to him. It is to be noted that Shri Eknath Savordekar as well as Ulhas Gaonkar have admitted in their cross that they had refused to accept the dues. The evidence on record clearly indicates that notices were duly served on the workmen and the legal dues were also paid to them. Merely because some of the employees had refused to accept notice or the dues, it cannot be said that the Party II had failed comply with the provisions of the Act.

22. It is also to be noted that in the case of *Avon Services v/s Industrial Tribunal reported in 1979(1) LLJ*, the apex court has reiterated the principles laid down by the constitution bench in the case of *M/s. Hathisingh Mfg. Co. Ltd., and others v/s Union of India and others (1960) 3 SCR 528*, wherein it was held that "the legislature has not sought to place closure of an undertaking on the same footing as retrenchment u/s 25 F. By Sec. 25 F, a prohibition against retrenchment, until the conditions prescribed by that section are fulfilled, is imposed, by Sec. 25 FFF(1). Termination of employment on closure of the undertaking without payment of compensation and without either serving notice or paying wages in lieu of notice is not prohibited. Payment of compensation and payment of wages for the period of notice are not therefore conditions precedent to closure". This legal proposition is also reiterated by the Hon'ble Bombay High Court in the case of *Lal Bavta Hotel aur Bakery Mazdoor Union v/s Ritz (Private) Ltd., and another 2007 (2) LLN 810*.

23. In view of distinguishing features between Sec. 25 F and 25 FFF, the decision in the case of *State of Rajasthan (Supra)* is not applicable to the facts of the case. It is also to be noted that in the case of *Poonvasi v/s C.S.W. Industries 1994 (69) FLR 341*, the Hon'ble Bombay High Court has held that notice to the appropriate Government as contemplated under Sec. 25 FFA is not a condition precedent and failure to comply with the same would not render the closure itself illegal or non-est from its very commencement.

Under the circumstances the closure cannot be said to be illegal for non compliance with provisions under Sec. 25 FFF and Sec. 25 FFA. Hence issues 1 B and 1 C are answered in the negative.

24. *Issue No. 2:* It is not in dispute that the Party II had restarted the business. In para 10 of the claim statement, the workmen had not stated as to when the Party II had restarted the mine, however in the rejoinder at Exb. 6 the workmen had claimed that the mines were restarted in March-April, 1992. The workmen have claimed that they were not allowed to resume duties after restarting of the business whereas the Party I has stated that the mine was reopened from 1-11-1992 and that prior to reopening notice was displayed on the notice board and individual intimation dated 19-10-2002 was sent to the workmen by registered post for reporting for duties not later than 1-11-1992. The Party II has stated that inspite of the intimation, the workmen did not report for duties and as such vacancies were filled by recruiting new workers. It is to be noted that Shri Eknath Savardekar has deposed that in February, 1992 he came to know that the mine was restarted and when the workmen went to the mine to ascertain the facts they were told to settle the matter through courts. He has deposed that he had not received notice asking him to report for work. He has deposed that six other workmen had received such notice and that he had accompanied the said six workmen to the mine. He has deposed that Party II had refused to take back the said six workmen stating that they had to report on the previous day. The second witness, Shri Ulhas Gaonkar had deposed that the mine was restarted about one month after the closure whereas the third witness, Shri P. Gaonkar has deposed that the mine was restarted in March-April, 2002. He has admitted that in October, 1992, the Party II had served letters to the workmen informing them that the mine would be restarted in the last week of October, 1992. He has deposed that six workmen had reported for duty but they were not allowed to join. He has denied the suggestion that the mine was started only 1-11-1992. He was shown letter dated 28-10-1992 (Exb. E-6). He has admitted having written the said letter. In this letter, which was addressed to Party II, this witness had stated that it was reported that Party II was again restarting the mining operation without calling the senior workers, in violation of Rules 77 and 78 of Central Rules. By this letter the witness No. 3 had called upon the Party II to pay full back wages to the workmen, with continuity in service. This letter does not indicate that the Party II had already started the mine in March-April, 1992 or that the Party II had refused employment to six workers who had reported to duty. On the contrary, this letter indicates that the Party had not started the mining operations till 28-10-92. The Party I has also not examined the six workers who were allegedly refused employment.

25. It is to be noted that the witness, Shri Shabbar Khan has produced notice dated 19-10-1992 (Exb. 23) regarding restarting of the mine, which was displayed at the site. He has produced copies of notices sent to the individual workmen and the AD cards which are at Exb. 24 colly. He has deposed that two workmen, namely, Prabhaker Devidas and Jaishree Gaonkar had reported for work after about 15-20 days. He has deposed that

after re-opening of the mines about 18-20 workmen were employed out of which 2-3 employees were working prior to the closure. He has deposed that Shri Eknath Savardekar was not called as the truck which said Eknath was driving was given to Shaikh Fauzi Kader under agreement dated 8-1-1992 (Exb. E-21) and that the Party II did not have any other vehicle. Similarly, Shri Ulhas Gaonkar was not called as he had no valid certificate of mining. The evidence adduced by this witness proves that Party II had complied with provisions of Sec. 25F of Industrial Disputes Act. Be that as it may, in the case of *M/s. Maruti Udyos Ltd., v/s Ram Lal and others 2005 (5) ALLMR (S.C.) 405*, to apex court has held that "Once a valid transfer or a valid closure comes into effect, the relationship of employer and employee takes effect. Compensation is required to be paid to the workman as a consequence thereof and for no other purpose. Once it is held that Section 25 F have no application in a case of transfer of an undertaking or closure thereof as contemplated in Section 25 FF and 25 FFF of the 1947 Act, the logical corollary would be that in such an event Section 25 H will have no application."

26. It is also to be noted that the dispute of re-employment has not been referred and hence cannot be adjudicated upon. Reliance is placed on the case of *Karnal Central Co-operative Bank Ltd, v/s Industrial Tribunal Rohtak and others reported in 1994 (69) FLR 1006*. Hence issue No. 2 is answered in the negative. Under the circumstances and in view of discussion supra the workmen are not entitled for any relief. Issue No. 4 is answered accordingly. Hence I pass the following order:

ORDER

The justification for the closure of a business, in fact and truly effected, cannot raise an industrial dispute. Hence the reference is not maintainable.

No order as to costs.

Inform the Government accordingly.

S/-
(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
-cum-Labour Court-I.

Notification

No. 28/1/2008-LAB/1319

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Paraji-Goa on 06-08-2008 in reference No. IT/24/02 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 10th September, 2008.

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I AT PANAJI

(Before Anuja Prabhudessai, Presiding Officer)

Ref. No. IT/24/02

Shri Sohan Fadte Adkonkar & ors.

P. O. Box, Betim,

Bardez, Goa.

... Workmen/Party I

V/s

M/s. Information Technologies,

(I) Ltd., L-44 SIP II,

Industrial Estate,

Verna, Goa.

... Employer/Party II

Party I/Workmen represented by Adv. A. V. Nigalye.

Party II/Employer is represented by Adv. M. S. Bandodkar.

A WARD

(Passed on this 6th day of August, 2008)

In exercise of powers conferred by Clause (d) of sub-section (1) of Section 10 of the said Act, 1947, by order dated 27-3-2002, the Government of Goa has referred to this Industrial Tribunal the following dispute for adjudication:

"(1) Whether the following workpersons could be construed as workmen as defined in Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947):

- 1 Sohan Fadte Adkonkar, Sr. Software Executive.
- 2 Cynthia Rodrigues, Software Engineer.
- 3 Joyce Coutinho, Software Executive.
- 4 Laximikant Parab, Quality Training.
- 5 Sushanti Patil, Software Support Executive.
- 6 Pradeep Kerkar, Sr. Software Executive.
- 7 Nilesh Alornekar, Software Support Executive.
- 8 Manoj Bhattatiri, Sr. Software Executive.
- 9 Sanjeev Hasbe, Software Executive.
10. Uday Patil, Sr. Engineer.

(2) If the answer to (1) above is in the affirmative, then whether the action of the management of M/s. Information Technologies (I) Ltd., Verna, in terminating their services with effect from 30-5-2001 is legal and justified ?

(3) If the answer to (2) above is in the negative, then to what relief the workmen are entitled ?"

2. On receipt of the reference, IT/24/02 was registered. Notices were issued to both parties. Pursuant to which employees Shri Sohan Phadte, Laxmikant Parab, Pradeep Kerkar, whose names figure at Sr. Nos. 1, 4 and 6 in the schedule of the reference, filed their claims statement at Exb. 7. The other employees named in the reference have neither appeared nor filed the claim statement. The Party II filed its written statement at Exb. 8.

3. The case of the said employees at Sr. Nos. 1, 4 and 6 is that though they were appointed as Executives they were infact doing skilled, technical, operational and clerical work and are "workmen" within the meaning of Section 2(s) of the Industrial Disputes Act. These employees have stated that since February, 2002 the Party II stopped paying their monthly wages on the pretext of financial problem and subsequently on 15-5-2001 the Party II displayed notice dated 11-5-2001 stating that the management was compelled to close the operations of Goa office with immediate effect due to slump in software business. These employees have stated that despite the said notices they continued to work however on 30-5-2001 when they reported for duties they found that the premises were locked. They have claimed that the Party II has not paid retrenchment compensation and that their services were terminated without giving one month's notice or wages in lieu of notice hence, termination of their service is in breach of Section 25 F of Industrial Disputes Act. They have further stated that the Party II has more than 100 employees and that they have failed to seek permission from the Government before closing down the unit. The employees have stated that the termination is illegal and as such they are entitled for reinstatement with full back wages and continuity in service.

4. The Party II has denied that these employees were doing any skilled, technical, operational or clerical work. The Party II has stated that these employees are not the workmen within the meaning of Section 2(s) of the Act. The Party II had stated that they had permanently closed down the unit from 5-5-01 due to slump in software business. The Party II has also denied that it had engaged more than 100 employees. The Party II has also denied having contravened provisions of Section 25 of the Act. The Party II has stated that the dispute is of general nature and since it is not espoused by majority, it is not an Industrial Dispute under Section 2(k) of the Act.

5. Following issues were framed:

- 1 Whether the workmen/Party I Shri Sohan Adkonkar, Shri Laximikant Parab and Shri Pradeep Kerkar prove that they are workmen as defined under Sec. 2(s) of the I. D. Act, 1947 ?
- 2 Whether the workmen/Party I Shri Sohan Adkonkar, Shri Laximikant Parab and Shri Pradeep Kerkar prove that the Employer/Party I terminated their services w.e.f. 30-5-2001 in violation of the provisions of Sec. 25/F and 25/N of the I. D. Act, 1947 ?
- 3 Whether the workmen/Party I Shri Sohan Adkonkar, Shri Laximikant Parab and Shri Pradeep Kerkar prove that termination of their service by the Employer/Party II w.e.f. 30-5-2001 is illegal and unjustified ?
- 4 Whether the Employer/Party II proves that it is not an industry as defined under Sec. 2(j) of the

I. D. Act, 1947 not an industrial establishment as defined under Sec. 25-L of the I. D. Act, 1947 ?

5 Whether the Employer/Party II prove that the dispute referred is not an industrial dispute within the meaning of Sec. 2(k) of the Industrial Disputes Act, 1947 ?

6 Whether the Employer/Party II proves that its establishment is permanent closed from 15-5-2001 ?

7 Whether the workmen/Party I Shri Sohan Adkonkar, Shri Laximikant Parab and Shri Pradeep Kerkar are entitled to any relief ?

8 What Award ?

6. The matter was posted for evidence on 7-12-2004. The records indicate that despite several opportunities given, the Party I has not adduced any evidence. Needless to state that having raised the dispute it was for the Party I to prove that they are workmen within the meaning of Section 2(s) of the Act and that their services were terminated illegally in violation of Section 25(F) of the Act. Having failed to adduce any evidence, the Party I cannot be considered to be the workmen within the meaning of Sec. 2(s) of the Act nor their termination can be held to be illegal. Under the circumstances and in view of discussion supra, I pass the following order:

ORDER

It is hereby held that the Party I has failed to prove that the persons named in the schedule are the workmen within the meaning of Section 2(s) of the Act. The Party I has also failed to prove that the services of the workmen named in the reference have been illegally terminated by the Party II w.e.f. 30-5-01. Hence the Party I is not entitled for any relief.

No order as to costs.

Inform the Government accordingly.

S/-

(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Notification

No. 28/1/2008-LAB/1319

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 18-08-2008 in reference No. IT/45/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 10th September, 2008.

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I AT PANAJI

(Before Smt. Anuja Prabhudessai, Presiding Officer)

Ref. No. IT/45/07

The President,

Herald & Allied Emp. Union,
C/o Goa Union of Journalists,
6th Floor, Shram Shakti Bhavan,
Panaji, Goa.

... Workman/Party I

V/s

The Director,

M/s. Herald Publications Pvt. Ltd.,
Rua de Qurem,
Panaji, Goa.

... Employer/Party II

Party I/Workman -

Party II/Employer -

A WARD

(Passed on this 18th day of August, 2008)

By order dated 27-8-07, the Government of Goa has referred to this Industrial Tribunal the following dispute for adjudication:

(A) (1) Whether the action of the management of M/s. Herald Publication Private Limited, Panaji in transferring their workman, Shri Ashley do Rosario, Deputy Chief Reporter, represented by Herald and Allied Employees Union, Panaji, from Panaji Head Quarters to Canacona is legal and justified ?

(2) If not, to what relief the workman is entitled ?

(B) (1) Whether the action of the management of M/s. Herald Publication Private Limited, Panaji transferring their workman, Shri Agnelo Pereira, Chief Sub-Editor, represented by the Herald and Allied Employees Union, Panaji to the Magazine Section is legal and justified ?

(2) If not, to what relief the workman is entitled ?

(C) (1) Whether the action of the management of M/s. Herald Publication Private Limited, Panaji in stopping their workman, Shri Vincent Braganza, Photographer, represented by the Herald and Allied Employees Union, from presenting Photographer is legal and justified ?

(2) If not, to what relief the workman is entitled ?

(D) (1) Whether the action of the management of M/s. Herald Publication Private Limited, Panaji in directing M/s. Rajashree Nagarsekar and Ms. Inicia Rodrigues, both Sub-Editor, Editor

represented by the Herald and Allied Employees Union, Panaji to perform duties from 2.30 p.m. onwards instead of 10.00 a.m. to 5.00 p.m. amounts to change in service conditions ?

(2) If the answer to issue No. (D)(1) above is in the affirmative then, to what relief the workmen are entitled ?

2. On receipt of the reference, IT/45/2007 was registered. Notices were issued to both parties. The records indicate that the Party I had appeared before the Tribunal on 4-3-08 and 31-8-08 and on both these dates he had sought time to file claim statement. The matter was posted on 6-6-2008 for filing claim statement however both parties failed to remain present on 6-6-2008 and also on subsequent dates i.e. on 28-7-2008 and 14-8-08. It need not be emphasized that having raised the dispute the Party I was required to plead and prove that the transfer of workmen, Shri Ashley do Rosario, Deputy Chief Reporter, Shri Agnelo Pereira, Chief Sub-Editor and the action of the Party II of stopping Shri Vincent Braganza, Photographer from presenting photographs is illegal. Similarly, the Party I was also required to plead and prove that directions to M/s. Rajashree Nagarsekar and Ms. Inicia Rodrigues, both Sub-Editor, Editor to perform duties from 2.30 p.m. onwards instead of 10.00 a.m. to 5.00 p.m. amounts to change in service conditions. In the instant case the Party I has neither filed its claim statement nor appeared before the Tribunal and consequently it has failed to plead and prove that transfer of workmen, Shri Ashley do Rosario, Deputy Chief Reporter, Shri Agnelo Pereira, Chief Sub-Editor and action of Party II in stopping Shri Vincent Braganza, Photographer from presenting photographs is illegal. The Party I has also failed to plead and prove that directions to M/s. Rajashree Nagarsekar and Ms. Inicia Rodrigues, both Sub-Editor, Editor represented by the Herald and Allied Employees Union, Panaji to perform duties from 2.30 p.m. onwards instead of 10.00 a.m. to 5.00 p.m. amounts to change in service conditions and as such it is not entitled for any relief. Hence I pass the following order:

ORDER

The Party I has failed to plead and prove the transfer of workmen, Shri Ashley do Rosario, Deputy Chief Reporter, Shri Agnelo Pereira, Chief Sub Editor is illegal and unjust.

The Party I has also failed to prove that the action of Party II in stopping their photographer, Shri Vincent Braganza from presenting the photographs is illegal and unjust. The Party I has also failed to plead and prove that directions given by Party II to M/s. Rajashree Nagarsekar and Ms. Inicia Rodrigues, both Sub-Editor, Editor represented by the Herald and Allied Employees Union, Panaji to perform duties from 2.30 p.m. onwards instead of 10.00 a.m. to 5.00 p.m. amounts to change in service conditions.

The Party I is not entitled for any relief.

No order as to costs.

Inform the Government accordingly.

S/-

(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Notification

No. 28/1/2007-LAB/1319

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 22-08-2008 in reference No. IT/79/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 10th September, 2008.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/79/07

Ms. Maria Rebello,
House No. 463, Bandol,
Curtorim, Salcete-Goa. ... Workman/Party I
V/s

M/s. Mac Enterprises,
Beach Plaza Annexe,
Nomoxim, Miramar,
Panaji-Goa. ... Employer/Party II

Party I/Workman is represented by Shri Subhash Naik.

Party II/Employer is represented by Adv. A. Monteiro

Panaji, dated: 22-08-2008.

A WARD

1. In exercise of the powers conferred by Section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by Order dated 06-10-2006 bearing No. 28/40/2006-LAB/792 referred the following dispute for adjudication of this Labour Court:

SCHEDULE

"(1) Whether the action of the management of M/s. MAC Enterprises, Caranzalem, Panaji-Goa in terminating the services of Ms. Maria Rebello, Steno Typist/Computer Operator, with effect from 01-07-2002 is legal and justified ?

(2) If not, what relief the workperson is entitled to ?”

2. On receipt of the reference, a case was registered under No. IT/79/07 and registered A/D notice was issued to the parties. In pursuance to the said notice the parties put in their appearance. The Workmen/Party I (for short “workman”) filed her statement of claim at Exhibit 7. The facts of the case in brief as pleaded by the workman are that she was employed with the Employer/Party II (for short “Employer”) in its establishment situated at Caranzalem, Panaji-Goa as a Steno-Typist-cum-Computer Operator with effect from 04-04-1994 vide letter dated 04-04-1994. That she was confirmed in service vide letter dated 04-10-1994. That since the date of her appointment with effect from 4th April, 1994, she worked honestly and efficiently with Party II. That the duties performed by the Party I with Party II are correspondence, attending to telephonic calls, receipt of money from clients of Party II and issuing of receipt for the same, maintaining, the Inward and Outward Register of correspondence, etc. That the Party II is running a construction company having office at Beach Plaza Annexe, Nomoxim, Miramar, Panaji-Goa and that the Party II has constructed several housing colonies at Calangute such as Village Royal, Park Avenue, etc., and at Anjuna such as Sunset, Boulevard, etc. That Mr. Alfred Cota is the proprietor of the Party II establishment. That the Party I was paid a monthly salary of Rs. 3,500/- per month. That the workman contended that neither she was paid bonus except for one year nor was enrolled for Provident Fund although she was entitled to. That she was given a leave of 30 days a year. That in the month of May, 2007 and June, 2007 the Party II did not pay monthly wages to Party I although Party I had worked during those two months. That thereafter on 29th June, 2007, Mr. Alfred Cota, Proprietor of Party II establishment called Party I in his cabin and told her that since the Company was not doing well her services stood terminated and that she need not come for work from 01-07-2002. The workman contended that the Party II did not pay her legal dues such as earned wages for May and June, 2007, Gratuity, Retrenchment Compensation, Leave Wages, Provident Fund, etc. at the time of termination. The workman contended that she was told that her wages would be paid later however, till date nothing has been paid to her. That the Party II did not issue any letter before terminating her service but orally told her that her services have been terminated. That at the time of termination the Party II did not give one month’s notice before termination of services nor did he pay any compensation in view of notice. That the Party II did not also pay retrenchment compensation @ 15 days wages for every year of services as she was a permanent employee having worked continuously from 4th April, 1994 to 30th June, 2002. That the Party II also did not prepare seniority list before terminating the services of Party I and did not follow the principle of “last come, first go” before terminating her services. That being aggrieved by the decision of the Party II to illegally and without any justification terminate her services abruptly, she vide her letter dated 1-08-2002 raised a

demand that she be re-instated with full back wages and continuity in service. That as the Party II did not respond to the just and legal demands raised by the Party I, she had no other alternative but to raise an Industrial Dispute before the Deputy Labour Commissioner, Government of Goa, Panaji-Goa which she did vide her letter dated 16th October, 2002. That the conciliation proceedings held by the Conciliation Officer, Panaji-Goa ended in failure. The workmen contended that the action of the Employer in terminating her services by Order dated 01-07-2002 is illegal and unjustified and hence she is entitled for reinstatement in service with full back wages.

3. The Id. Advocate A. Monteiro representing the Party II/Employer did not file written statement however, on 11-04-2008 orally prayed for time to arrive at an amicable settlement. Subsequently on 20-08-2008 the parties hereto have amicably settled the matter between them and filed the Terms of Settlement dated 20-08-2008 at Exhibit 9. The parties prayed that the consent award be passed in terms of the said settlement. I have gone through the Terms of the Settlement which are duly signed by the parties and I am satisfied that the said terms are certainly in the interest of the workman. I therefore accept the submission made by the parties and pass the consent award in terms of the settlement dated 20-08-2008 at Exhibit 9.

ORDER

- 1 It is agreed between the parties that M/s. MAC Enterprises, Caranzalem, Panaji-Goa shall pay a sum of Rs. 70,000/- (Rupees Seventy thousand only) to Ms. Maria Rebello in full and final settlement of all her claims against the Party II arising out of employment with the Party II.
- 2 It is agreed by M/s. Maria Rebello that she shall accept the said amount mentioned hereinabove in the Clause 1 in full and final settlement of her claims against Party II arising out of her employment with them.

No order as to costs.

Inform the Government accordingly.

S/-

(Suresh N. Nanulkar),
Presiding Officer,
Labour Court-II.

Office of the Commissioner, Labour and Employment

Order

No. CLE/(RIA-05)/2008/5136

Read: Order No. CLE/(RIA-05)/2008/3134 dated 02-09-2005.

In partial modification of the above order, the following Officer is hereby appointed as Assistant Public Information Officer for area of jurisdiction shown against

the names to deal with the applications received from the public under the Right to Information Act, 2005.

Name of the Officer & designation	Assistant Public Information Officer	Area of operation
1. Shri Arvind Shirodkar, Employment Officer, Panaji (In his absence) Smt. Agnela Correia, Asstt. Employment Officer	Assistant Public Information Officer	North Goa District/ Jurisdiction.

V. B. N. Raikar, Commissioner, Labour and Employment.
Panaji, 10th October, 2008.

Order

No. CLE/(RIA-05)/2008/5137

Read: Order No. CLE/(RIA-05)/2008/3134 dated 02-09-2005.

In partial modification of the above order, the following Officers are hereby appointed as Assistant Public Information Officer for area of their jurisdiction shown against the names to deal with the applications received from the public under the Right to Information Act, 2005.

Name of the Officer & designation	Assistant Public Information Officer	Area of operation
1. Dr. Smt. S. S. Lotlikar, Administrative Medical Officer (In her absence) Shri Ashok Naik, Head Clerk	Assistant Public Information Officer	Office of the Administrative Medical Officer.
2. Dr. Vidhya Mandurkar, Insurance Medical Officer (In her absence) Dr. Deepak Ramnathkar, Insurance Medical Officer	Assistant Public Information Officer	E.S.I. Dispensary, Ponda.
3. Dr. Vithal Rane, Insurance Medical Officer (In his absence) Dr. Priyarani Savoikar, Insurance Medical Officer	Assistant Public Information Officer	E.S.I. Dispensary, Vasco.

V. B. N. Raikar, Commissioner, Labour and Employment.
Panaji, 10th October, 2008.

Order

No. CLE/(RIA-05)/2008/5149

Read: Order No. CLE/(RIA-05)/2008/1571 dated 27-03-2008.

In partial modification of the above order, the following Officer is hereby appointed as Assistant Public Information Officer for area of jurisdiction shown against

the names to deal with the applications received from the public under the Right to Information Act, 2005.

Name of the Officer & designation	Assistant Public Information Officer	Area of operation
1. Shri Rupesh Kothambiker, Asstt. Labour Commissioner, Panaji (In his absence) Shri Milind Govenkar, Labour Inspector, Panaji	Assistant Public Information Officer	North Goa District/ Jurisdiction.

V. B. N. Raikar, Commissioner, Labour and Employment.
Panaji, 10th October, 2008.

Department of Personnel

Order

No. 15/6/2003-PER(Part)

The Governor of Goa is pleased to promote on ad hoc basis, the following Awal Karkuns to the post in the cadre of Mamlatdar/Joint Mamlatdar/Assistant Director of Civil Supplies (Group 'B' Gazetted) in the pay scale of Rs. 5,500-175-9,000 with immediate effect and post them against the post shown against their names.

Sr. No.	Name	Place of posting
1	2	3
1	Shri Rajesh Ajgaonkar	Joint Mamlatdar, Quepem.
2	Kum. Seema Salkar	Joint Mamlatdar, Ponda.
3	Shri Satish R. Pradhu	Joint Mamlatdar-I, Salcete.
4	Shri Madhu Narvekar	Joint Mamlatdar-II, Salcete.

The above ad hoc promotion will not bestow on them any claim for regular appointment and the services rendered on ad hoc basis in the grade will not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher post.

The above ad hoc promotion shall be for a period of one year in the first instance.

On promotion, their pay shall be fixed as per rules.

Shri Pravin Hire Parab, Joint Mamlatdar-II, Salcete is transferred and posted as Joint Mamlatdar-II, Bardez.

By order and in the name of the Governor of Goa.

Vasudev N. Shetye, Under Secretary (Personnel-II).

Parvorim, 8th October, 2008.

Order

No. 2/1/2001-PER (part-file)

Read: Order No. 2/1/2001-PER/Part file dated 30-10-2007.

The appointment of Shri Ashok N. P. Dessai, as Ombudsman, made vide order read in preamble is

extended by another one year with effect from 3-11-2008 to 2-11-2009 in terms of clause (b) of sub-rule (2) of Rule 3 of the Goa Government Employees (Redressal of Grievances Forum) Scheme, 2001, as amended.

By order and in the name of the Governor of Goa.
Umeshchandra L. Joshi, Under Secretary (Personnel-I).
 Porvorim, 8th October, 2008.

Order

No. 13/20/2006-PER

Read: Government Order No. 13/20/2006-PER dated 05-09-2007.

The contract appointment of Shri U. D. Kamat as Director, N. R. I. Affairs and Managing Director, Overseas Recruitment Agency in the Office of State Commissioner for Non-Resident Indian Affairs, Secretariat, Porvorim is hereby extended for a further period of one year with effect from 12-07-2008 to 11-07-2009, under same terms and conditions as stipulated in the Agreement dated 21-09-2006.

This issues with the concurrence of Finance Department vide its U. O. No. Fin (Bud)/820/2008 dated 23-07-2008.

By order and in the name of the Governor of Goa.
Vassudev N. Shetye, Under Secretary (Personnel-II).
 Porvorim, 8th October, 2008.

Order

No. 2/7/76-PER (Vol. III) (Part-I)

Read: Government order No. 2/7/76-PER (Vol. III) (Part-I) dated 06-10-2000 and dated 28-02-2002.

In partial modification of order read above, the Departmental Selection Committee and Departmental Promotion Committee for Group 'C' posts in the Office of Custodian of Evacuee Property shall be as shown below:-

- | | | |
|----------------------------------|---|-----------|
| 1. Custodian of Evacuee Property | - | Chairman. |
| 2. Under Secretary (Home-I) | - | Member. |
| 3. Additional Collector-I, North | - | Member. |

By order and in the name of the Governor of Goa.
Umeshchandra L. Joshi, Under Secretary (Personnel-I).
 Porvorim, 10th October, 2008.

Order

No. 6/12/97-PER

Read: Order No. 6/12/97-PER dated 26-12-2006.

The Extraordinary Leave sanctioned to Shri Arun L. Desai, Senior Scale Officer of Goa Civil Service, vide

order read in preamble is hereby extended for a further period of 2 years w.e.f. 01-01-2009 to 31-12-2010, subject to the terms and conditions as contained in the order read in preamble and Government Notification No. 2/5/95-PER dated 02-01-2003.

By order and in the name of the Governor of Goa.
Umeshchandra L. Joshi, Under Secretary (Personnel-I).
 Porvorim, 13th October, 2008.

Department of Public Health

Order

No. 22/10/2007-I/PHD

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/24(1)/2008/232 dated 15-09-2008, the Government is pleased to promote Smt. Anna D'Souza Rauto, Lecturer to the post of Associate Professor in the Institute of Nursing Education under Directorate of Health Services in the pay scale of Rs. 10,000-325-15,200 and other allowances to be fixed as per rules on regular basis with immediate effect.

The Official should exercise her option within one month from the date of appointment under FR 22(2).

Smt. Anna D'Souza Rauto shall be on probation for a period of two years.

By order and in the name of the Governor of Goa.
Jessie Freitas, Under Secretary (Health II).
 Porvorim, 14th October, 2008.

Certificate

No. 45/2/2007-I/PHD

Read: 1) Memorandum No. 45/2/2007-I/PHD dated 07-07-2008.

2) Government Order No. 45/2/2007-I/PHD dated 24-07-2008.

Certified that the character and antecedents of Dr. Jalmi Utkarsh Upi, Medical Officer under Directorate of Health Services mentioned in the above Orders have been verified by the District Magistrate, North Goa District and nothing adverse has come to the notice of the Government. He has also been declared medically fit by the Medical Board.

Jessie Freitas, Under Secretary (Health II).
 Porvorim, 14th October, 2008.

Department of Revenue

Notification

No. 23/44/2008-RD/4618

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for construction of Guest House at Gogal MBR, Margao.

Now therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under Clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, S.I.P., Gogal, Margao-Goa to perform the functions of the Collector, South Goa District, Margao-Goa under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

- 1) The Collector, South Goa District, Margao-Goa.
- 2) The Special Land Acquisition Officer, S.I.P., Gogal, Margao-Goa.
- 3) The Executive Engineer, W. D. IX (PHE), Fatorda, Margao-Goa.
- 4) The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Special Land Acquisition Officer, S.I.P., Gogal, Margao-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Raia

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
194 1 (part)	1) Valmiki Faleiro 2) Jeronimo D'Souza.	6500

Boundaries :

North : S. No. 194/-(p) of Raia/Salcete.

South : S. No. 194/1(p) of Raia/Salcete.

East : S. No. 194/1(p) of Raia/Salcete.

West : Village boundary of Margao City.

Taluka: Salcete

City: Margao

Chalta No./ P.T.S. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
1 part 84	1) Comunidade of Margao. 2) Govt. of Goa (PWD).	3890

Boundaries :

North : P.T.S. 84/Chalta No. 1 part

South : P.T.S. 84/Chalta No. 1 part

East : Village Raia.

West : P.T.S. 84/Chalta No. 1 part

Grand Total: 10390

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Pervorim, 7th October, 2008.

Notification

No. 23/38/2007-RD/4642

Whereas by Government Notification No. 23/38/2007-RD dated 14-12-2007 published on pages 1185 & 1186 of Series II No. 40 of the Official Gazette dated 03-01-2008 and in two newspapers (1) "Gomantak Times" dated 20-02-2007 and (2) "Pudhari" dated 20-12-2007, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for public purpose viz., Land Acquisition for construction of a foot over bridge & one subway at chainages kms. 441/525, 441/135, 440/713 & 440/261 on Margao City of Salcete Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government"), after considering the report made under sub-section (2) of Section 5-A of the said Act is satisfied that the land specified in the

Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under Clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, SIP, Gogol, Margao-Goa to perform the functions of a Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Special Land Acquisition Officer, SIP, Gogol, Margao-Goa till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete

City: Margao

P.T.S. No./ Chalta No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
234/6 part O:	Shri Damodar Saunthian.	1615
234/7 part O:	Shri Damodar Saunthian. Konkan R'way Corporation Ltd.	35
234/8 part O:	Shri Damodar Saunthian. Konkan R'way Corporation Ltd.	35
234/9 O:	Shri Damodar Saunthian.	16
234/10 part O:	Shri Damodar Saunthian.	30
234/11 part O:	Shri Damodar Saunthian.	32
234/12 O:	Shri Damodar Saunthian.	16
234/14 part O:	Shri Damodar Saunthian.	26
234/15 part O:	Shri Damodar Saunthian.	25
234/16 O:	Shri Damodar Saunthian.	16
234/17 part O:	Shri Damodar Saunthian.	20
234/18 part O:	Shri Damodar Saunthian.	20
234/19 O:	Shri Damodar Saunthian.	19
234/24 O:	Government property Police- quarter Shaik Daud.	162
237/180 part O: 1	Carlos Coracao de Jesus do Rosario Andrade.	142
	2 Jose logo de Graca do Rosario Andrade.	
237/174 part O: 1	Carlos Coracao de Jesus do Rosario Andrade.	5
	2. Jose logo de Graca do Rosario Andrade.	
237/187 part O: 1	Maria German Pinto.	195
	2 Maria Ida C. Dosodores Pinto.	
	3 Bernardo Ricardo G. Pinto.	
	4 Felix M. Gomes Pirto.	
237/207 part O:	Shri Ramchandra Atmaram Pai Panandikar.	76

1	2	3
237/220 part O:	V. M. Salgaonkar & Brothers Pvt. Ltd.	120
261/6 part O:	[Joao Santan Gomes]. Maria Antonieta Gomes.	56

Boundaries :

North : P.T. S. 213/49.

South : P.T. S. 234/24.

East : P.T. S. 252/248.

West : P.T. S. 234/6, 7, 8, 10,
11, 14, 15, 117, 18, 24.

Total: 2661

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 7th October, 2008.

Notification

No. 23/42/2007-RD/4648

Whereas by Government Notification No. 23/42/2007-RD dated 09-04-2008 published on pages 73 & 74 of Series II No. 4 of the Official Gazette dated 24-04-2008 and in two newspapers (1) "Gomantak Times" dated 14-04-2008 and (2) "Sunaparant" dated 13-04-2008, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for public purpose viz., Land Acquisition for construction of L.B.M.C. of T.I.P. from ch. 33.430 kms. to ch. 34.370 kms. in Bastora Village of Bardez Taluka (addl. area).

And whereas, the Government of Goa (hereinafter referred to as "the Government"), after considering the report made under sub-section (2) of Section 5-A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under Clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer (N), G.T.I.D.C., Karaswada, Colvale Road, Bardez-Goa to perform the functions of a Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Special Land Acquisition Officer (N), G.T.I.D.C., Karaswada, Colvale Road, Bardez-Goa till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka: Bardez

Village: Bastora

Survey No./ /Sub-Div. No.	Names of the persons believed to be interested in land	Area in sq. mts.
1	2	3

150/43p	O: Antonio Salvador D'Souza. T: Anant Bablo Satardekar.	70
149/15p	O: John Lobo.	70
147	O: John Lobo. Manuel Jose de Abren Lobo. Antonio de Costa de Abren Lobo.	80

House belongs to Mundkar:

1. Augustino Pereira.
Pedro Incio Pereira.
2. John Lobo (Owner).
3. Rosa Santan Fernandes.
4. Saraswati Gadekar.
Hari Gadekar.
5. Laxman Ladu Patikara.

Other Rights:

1. Babal Vithal Parsekar.
2. Nhira Khanolkar.
Shamba Naik.
3. House belongs to John Lobo.
4. Ana Quiterina Fernandes.
5. Ankush Naik.
6. Anant Kerkar.
7. Gopiki Khanolkar.

153/3p	O: Comunidade of Panola. Government of (Goa) India. T: Babal Mahadev Morjkar.	15
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Boundaries:

North: S. No. 150/40, 41.
 South: S. No. 150/43.
 East : S. No. 150/43.
 West : S. No. 150/23.
 North: S. No. 150/2 to 8.
 South: S. No. 149/15, 147.
 East : S. No. 147.
 West : S. No. 150/1.
 North: S. No. 153/3.
 South: S. No. 153/4.
 East : Road.
 West : S. No. 153/3.

Total area: 235

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 7th October, 2008.

Department of Social Welfare

Directorate of Social Welfare

Order

No. 19-46-97-Admn. (Vol.I)/7794

Ref.: Order No. 19-46-97-Admn. (Vol.I)/1774 dated 17-08-2005.

Sub.: Right to Information Act, 2005.

In continuation to this Department's letter of even number dated 17th August, 2005, Shri Ulhas Raikar, Statistical Officer of this Directorate is hereby appointed as Public Information Officer under the aforesaid Act with immediate effect.

The above Officer shall be made available on Telephone Nos. 2223784, 2232257 and Fax No. 2228172.

N. B. Narvekar, Director of Social Welfare

Panaji, 15th October, 2008.

Department of Town & Country Planning

Notification

21/1/08/TCP/SC/3841

In exercise of the powers conferred by sub-section (1) of Section 6 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) (hereinafter called as the "said Act"), the Government of Goa is hereby pleased to appoint a "Steering Committee" consisting of the following members, for the purposes of said Section 6 of the said Act, namely:-

- | | | |
|------------------------------------|-----|------------|
| 1) Hon'ble Chief Minister, | ... | Chairman. |
| Government of Goa | | |
| 2) Hon'ble Minister for Urban | ... | Member. |
| Development | | |
| 3) Hon'ble Minister for Panchayats | ... | Member. |
| 4) Hon'ble Minister for Town and | ... | Member. |
| Country Planning | | |
| 5) Chief Secretary | ... | Member. |
| 6) Secretary (Urban Development) | ... | Member. |
| 7) Secretary (Panchayats) | ... | Member. |
| 8) Secretary (Town and Country | ... | Member. |
| Planning) | | |
| 9) Shri J. A. De Souza, | ... | Member. |
| Retired Chief Town Planner, | | |
| Expert in the field of Town | | |
| and Country Planning | | |
| 10) Chief Town Planner, Town and | ... | Member |
| Country Planning Department | | Secretary. |

By order and in the name of the Governor of Goa.

Morad Ahmad, Chief Town Planner/ex officio Joint Secretary.

Panaji, 15th October, 2008.

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